

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

SAMUEL LOMACK, JR.

Petitioner,

v.

WARDEN, MADISON
CORRECTIONAL INSTITUTION,

Respondent.

CASE NO. 2:13-CV-1016

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Elizabeth A. Preston Deavers


ORDER

On August 19, 2014, the Magistrate Judge issued a *Report and Recommendation* recommending that Respondent's *Motion to Dismiss* (Doc. No. 6) the instant petition for a writ of habeas pursuant to 28 U.S.C. § 2254 be granted and that this action be dismissed. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. Respondent's *Motion to Dismiss* the habeas corpus petition (Doc. No. 6) hereby is **GRANTED**.

The habeas corpus petition is **DISMISSED**.

IT IS SO ORDERED.

 9-9-2014

EDMUND A. SARGUS, JR.
United States District Judge